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# Twelfth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo

## I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1417 (2002) of 14 June 2002, by which the Council decided to extend the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) until 30 June 2003 and to review progress every four months on the basis of reports of the Secretary-General. It describes developments until 11 October 2002, since my report of 5 June (S/2002/621) and the special report (S/2002/1005) which I submitted to the Council on 10 September 2002, following the agreements concluded recently in Pretoria and Luanda between the Government of the Democratic Republic of the Congo and the Governments of Rwanda and Uganda, respectively.

## II. Political developments

2. The period under review witnessed a number of significant political and military developments, in particular the signing of the bilateral agreements in Pretoria and Luanda, and the troop withdrawals undertaken by Angola, Burundi, Rwanda, Uganda and Zimbabwe (see paras. 8-10). These developments occurred while consultations among the Congolese parties on the establishment of a transitional government continued.

### Inter-Congolese dialogue

3. The initial round of consultations among the signatories of the agreement concluded at Sun City, on the sidelines of the inter-Congolese dialogue, commenced at Matadi, Democratic Republic of the Congo, in May. The talks, which ended on 6 July, highlighted serious differences between the Mouvement de libération du Congo (MLC) and the Government of the Democratic Republic of the Congo concerning, in particular, the power-sharing arrangements for the Supreme Council of Defence and the procedure for designating the Prime Minister. In August, however, the participants reached agreement on the 167 articles of the transitional constitution.

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4. At my request, my Special Envoy, Moustapha Niasse, undertook an exploratory mission to the region from 13 to 30 June 2002 to ascertain the possibility of helping the Congolese parties to reach an all-inclusive political agreement. The Special Envoy began his mission in Lusaka and Addis Ababa, where he met the Chairman and the Secretary-General of the Organization of African Unity. He then visited the Democratic Republic of the Congo for discussions with President Joseph Kabila, Jean-Pierre Bemba of MLC and the leadership of the Rassemblement congolais pour la démocratie (RCD)-Goma. In Kinshasa, and later in Matadi, the Special Envoy met with political parties, representatives of civil society, and some armed groups. Subsequently, the Special Envoy visited Sir Ketumile Masire, the facilitator of the inter-Congolese dialogue, in Gaborone, as well as the Presidents of Gabon, Rwanda, South Africa and Zimbabwe, and the Foreign Minister of Angola, in their respective capitals.

5. My Special Envoy's interlocutors stressed the need to reach an all-inclusive agreement and expressed their readiness to continue informal discussions under his auspices, on the understanding that any agreement reached informally would then have to be endorsed by the inter-Congolese dialogue.

6. During the second phase of his mission, from 9 July to 17 August, the Special Envoy discussed with his Congolese interlocutors their views pertaining to power-sharing during the transition and, in particular, the structure of the transitional institutions and the distribution of responsibilities among the various State organs. He asked them to base their proposals in this regard on the objectives and principles agreed upon at Sun City.

7. On 3 September, my Special Envoy started the third phase of his mission. The Government and the RCD-Goma delegations, which have been meeting in Pretoria since mid-September, seem to have reached a common understanding on a government structure and power-sharing formula. MLC has clarified its position in this regard and has had bilateral consultations with the Government and other parties. On 2 October, some representatives of the political opposition and civil society held consultations in Pretoria under the auspices of the Government of South Africa. My Special Envoy believes that the Congolese parties are close to reaching a political settlement acceptable to all.

**Developments in the wake of the Pretoria and Luanda agreements**

8. My special report on MONUC provided information on the withdrawal of foreign forces from the Democratic Republic of the Congo. Since then, the Ugandan withdrawal has continued and all Uganda People's Defence Forces personnel, numbering 2,287, with the exception of a reinforced battalion stationed at Bunia and troops patrolling the western slopes of the Ruwenzori Mountains, have now withdrawn from the country.

9. The Zimbabwe Defence Forces have also continued to withdraw. The total number of their repatriated forces as at 11 October was 3,477. A small number of Angolan military forces withdrew at the same time. In addition, it was reported that, as at 11 October, 700 troops of the Forces armées burundaises had been withdrawn from the country.

10. Most significant has been the withdrawal of the Rwandan Patriotic Army (RPA), which commenced on 17 September. According to information verified by

MONUC, as at 11 October, the total number of RPA forces withdrawn from the Democratic Republic of the Congo stood at 20,941. The withdrawal, which began in Kindu/Kalima, was subsequently extended to the remainder of Maniema Province, as well as to Katanga and North and South Kivu. There were withdrawals from a total of 32 positions in the east. The troops transited through 21 assembly areas and reached entry points into Rwanda at Cyangugu, Bugarama, Gisenyi and Kanombe Airport, Kigali. MONUC observers were present at most of the 21 RPA assembly sites and at all exit points, where detailed certificates were prepared and signed by MONUC, as well as at entry points into Rwanda, where the numbers were again cross-checked. RPA has claimed that a total of 23,760 troops had been withdrawn. MONUC therefore asked for a formal explanation of the resulting discrepancy of 2,819.

11. MONUC has received some unconfirmed reports that RPA forces may have entered the territory of the Democratic Republic of the Congo, particularly around the Bukavu area, before the present withdrawal began, and that RPA may have left significant amounts of weaponry, as well as some of its personnel, with RCD-Goma. MONUC intends to verify these reports and to revisit those areas from which foreign forces have been withdrawn, in an effort to verify, together with the third-party verification mechanism, that all RPA troops in the Democratic Republic of the Congo have been repatriated. A thorough investigation may also require visiting the present locations of the withdrawn troops in the home countries.

12. As mentioned in my special report, the third-party verification mechanism has successfully begun its activities. Its terms of reference were finalized and its procedures of work further developed. The mechanism has verified the departure of the declared RPA troops at various departure and arrival points. Prior to the withdrawal of those troops, the mechanism met with expert groups from the Governments of the Democratic Republic of the Congo and Rwanda, in Kinshasa and Kigali respectively, to discuss the implementation of the Pretoria Agreement.

13. As the withdrawal of foreign forces proceeded, the Government of the Democratic Republic of the Congo on 24 September declared all political leaders of the Forces démocratiques de libération du Rwanda (FDLR) persona non grata, and ordered them to leave the country within 72 hours. FDLR had claimed leadership of many of the ex-FAR/Interahamwe elements in the Democratic Republic of the Congo, including those cantoned in Kamina. The Government of the Democratic Republic of the Congo was criticized by the Government of Rwanda and RCD-Goma for not handing over the FDLR leaders to the International Tribunal for Rwanda. The Prosecutor of the Tribunal announced, however, that none of the FDLR leaders were on the list of those indicted by the Tribunal. Eight members of FDLR left the Democratic Republic of the Congo on 2 October for Brazzaville, but they were arrested there by local authorities and deported back to Kinshasa the same day. They have since been held at the port of Kinshasa by the immigration authorities, pending further negotiations between the Governments of the Democratic Republic of the Congo and the Republic of the Congo.

14. In another significant development, Tharcisse Renzaho, the former préfet of Kigali, who is on the list of those indicted by the Tribunal, was arrested on 29 September in Kinshasa and transferred to Arusha.

**Situation in the north-east**

15. During the last three months, the overall security conditions in the north-eastern town of Bunia and the entire Ituri region have continued to deteriorate. There have been recurrent ethnic clashes since June, when the Union des patriotes congolais (UPC), a primarily Hema militia, was reinforced and resupplied. On 10 July 2002, following intense fighting between UPC and RCD-ML troops in the centre of the city, the governor and RCD-ML authorities fled to Beni, leaving Bunia in the hands of the militia. In mid-August, UPC continued its offensive and succeeded in capturing some of the district's important towns, such as Irumu, 80 km from Bunia on the road to Beni. The violence and the resulting displacement of the population have deepened the mistrust among the communities of Ituri, which is also related to the distribution of resources, as well as manipulation by both internal and external actors.

16. After the signing on 18 April of the Sun City agreement, the Government sought to restore State authority in Ituri through cooperation with RCD-K/ML. The Government dispatched officials to Bunia and Kampala, in order to define the conditions for the extension of its administration and to discuss a timetable for the withdrawal of Ugandan troops. The reactions of the local factions varied, UPC, in particular, expressing its strong opposition to the proposed restoration of State administration. Subsequent events in the region, including the incident in which the Government's Minister for Human Rights was taken hostage, were covered in my special report.

17. Increased violence in the Isiro region (Province Orientale) has also been sparked by the advance of RCD-N towards, and its occupation of, Faradje, Watsa and Nia Nia in territory formerly controlled by RCD-K/ML. MLC has reportedly reinforced and supported RCD-N with equipment, ammunition and personnel. The armed elements of the two organizations share the same name, Armée de libération du Congo (ALC). Their activities seem to be driven in part by a desire for territorial strength as negotiations towards an all-inclusive transitional government progress. At the same time, there are indications that the Government is providing material support to RCD-K/ML, and that RCD-N is forging links with UPC.

**Situation in the Hauts Plateaux and South Kivu**

18. In the Hauts Plateaux area, to the north-west of Lake Tanganyika, RPA and RCD-Goma operations continued against the Banyamulenge group of Patrick Masunzu, which broke away from RCD-Goma earlier in the year. Prior to the initiation of the RPA withdrawal, there were indications that the bulk of this fighting was being conducted by RPA. From mid-August to mid-September, RPA captured some key airstrips, in the east of the Democratic Republic of the Congo, which it alleged were being used by the Government to deliver supplies to armed groups fighting RPA.

19. In reaction to the growing popularity of Commander Masunzu, RCD-Goma "purged" some of its members suspected of siding with the Banyamulenge rebellion, in an effort to halt popular support for the movement in South Kivu. On 7 June, during a meeting in Bukavu, the President of RCD-Goma, Adolphe Onusumba, called for the formation of a "unified front" against the military operations led by Commander Masunzu. Subsequently, the reinforcement of RPA troops in the Uvira sector indicated that Rwanda might continue to feel threatened by the military

resistance of Commander Masunzu and his supporters. However, the situation in the area is now reported to have changed with the withdrawal of RPA forces. According to unconfirmed reports, troops led by Commander Masunzu have reassumed control of the Hauts Plateaux region.

**Kindu**

20. In July, the population in Kindu and in the adjacent village of Alunguli reported outbreaks of intense violence as a result of fighting between RCD-Goma and the Mayi-Mayi. Subsequently, RCD-Goma troops reinforced Kindu and the RCD-Goma Deputy Chief of Staff assumed control over the movement's operations in the area. RCD-Goma subsequently launched an offensive from Kindu to drive Mayi-Mayi elements out of the region. Well-organized and equipped Mayi-Mayi launched limited but effective counter-attacks. Reports were received of indiscriminate killing of civilians in the course of the fighting, including at Kitongi where some 80 people, mostly women and children, were reportedly burned alive.

21. In the wake of the RPA withdrawal from Kindu and Kalima, violence erupted on 19 September in Kindu town with a firefight between RCD-Goma and the Mayi-Mayi. While the violence subsided that same day with the mediation of MONUC, two Mayi-Mayi activists took refuge on MONUC premises in Kindu for a number of days. RCD-Goma, which made several public statements against MONUC, including specific threats by its President against United Nations personnel, remains in control of Kindu. On 21 September, RCD-Goma troops reportedly engaged in a number of targeted killings of suspected Mayi-Mayi supporters in the area. While the situation remains tense in Kindu, relations between MONUC and RCD-Goma have somewhat improved.

## III. Activities of the Mission and the United Nations in support of the peace process

**Military**

22. During the reporting period, MONUC continued to monitor and verify the new defensive positions of the parties, in accordance with its phase II mandate. It also continued to prepare for phase III activities. MONUC currently has some 90 military observer teams located at 50 sites; 25 of these teams are mobile and available for deployment on a range of monitoring and verifying activities. In addition, 3,590 armed troops are protecting MONUC sector headquarters, logistic bases and coordination centres in the Democratic Republic of the Congo. MONUC therefore has a total of 4,258 military personnel, against a mandated ceiling of 5,537 (see annex).

23. The situation along the disengagement line remains generally stable. While a few positions continue to be occupied in contravention of the disengagement and redeployment plan, the Sun City agreement has had a positive effect on the status of the MLC/RCD-Goma and FAC separation line. The only major violation of the Lusaka Ceasefire Agreement during the reporting period occurred in Pweto in June. The village, occupied by RCD-Goma authorities in violation of the Lusaka Agreement, was taken over by a group of Mayi-Mayi. A subsequent meeting of the Joint Military Commission in Kinshasa concluded with a joint communiqué

indicating that the location should be handed over to the Government. However, on 29 June, RCD-Goma recaptured Pweto and remains there now.

24. In Kisangani, following an incident in June when the local RCD-Goma Brigade Commander assaulted MONUC military guards at the Onatra port facility, MONUC has worked actively with local authorities to reduce tension and has stepped up patrols by its military observers. On 8 October, however, MONUC personnel, caught in a demonstration against RCD-Goma, were slightly injured and their vehicles burned. MONUC troops assisting at the scene were compelled to shoot in the air to disperse demonstrators surrounding them. The demonstration was apparently triggered by an alleged robbery attempt and assault by RCD-Goma elements on a university professor.

25. As planning for phase III develops, MONUC is identifying and progressively establishing additional observation sites in the east, in order to create the conditions for future disarmament, demobilization, repatriation, resettlement and reintegration operations and to monitor and verify the withdrawal of foreign forces from the country (as noted in para. 11). To this end, and subject to security conditions, MONUC plans to deploy military observer teams to Punia, Kalima, Shabunda, Walikale, Baraka, Bunyakiri, Kamituga and Lubutu in the eastern Democratic Republic of the Congo. At the same time, teams will be deployed to Lubumbashi and Kamina in Government-controlled territory, to verify reports of ex-FAR/Interahamwe presence in those areas and to monitor the airfields allegedly used to resupply armed groups in the east.

26. In the meantime United Nations riverine operations continued, allowing MONUC to escort resupply and humanitarian relief barges. Consequently, the first commercial barge convoy in four years, accompanied by MONUC vessels, was dispatched from Kinshasa to Lisala and Bumba on 20 July (see paras. 36 and 37).

**Disarmament, demobilization, repatriation, resettlement and reintegration**

27. With the conclusion of the Pretoria Agreement on 30 July, the ongoing withdrawal of foreign forces and the easing of political obstacles to the process of disarmament, demobilization, repatriation, resettlement and reintegration, MONUC is refining its comprehensive strategy for this process, in cooperation with the United Nations agencies and international actors involved.

28. This ongoing activity has been given further impetus by the increasing willingness of the Government to address the political obstacles underlying successful disarmament, demobilization, repatriation, resettlement and reintegration, as well as reports by MONUC that several small to medium-sized groups of ex-FAR/Interahamwe may be considering participating in the process. MONUC intends to continue to implement ad hoc disarmament, demobilization and repatriation operations, pending deployment of the two task forces to be based in Kindu and Kisangani, as recommended in the special report (S/2002/1005). In this connection, the French Ambassador in Kinshasa has recently announced his Government's intention to make available 1 million euros for disarmament, demobilization and repatriation in the Democratic Republic of the Congo, for both Congolese and foreign armed groups.

29. Since my eleventh report, MONUC has established a disarmament, demobilization, repatriation, resettlement and reintegration presence in Goma,

Bukavu and Butembo. Plans are under way for a similar presence in Kamina, Lubumbashi and possibly Shabunda to implement the process in an ad hoc way in those areas. Despite existing security constraints and the difficulties in accessing the armed groups, MONUC will continue to explore the possibility of opening additional offices and sites for reception centres in the east of the country.

30. On 30 September, a first group of 69 Rwandan ex-combatants and 10 civilians left Kamina, where they had been cantoned by the Government, on an exploratory visit to Rwanda. MONUC had earlier succeeded in completing an initial screening of 1,981 combatants at Kamina in December 2001, but could not complete their demobilization because of their refusal to provide the necessary information concerning personal identification and military background. The exploratory visit has clearly been facilitated by the signature of the Pretoria Agreement and the banning of FDLR, which was opposed to attempts to repatriate the ex-combatants. The group, which was accompanied by MONUC personnel and by South African representatives of the Third Party Verification Mechanism, was flown to Rwanda on MONUC aircraft and spent some 10 days in Kigali and their home communes. MONUC is following up on this exploratory visit with a view to repatriating all the ex-combatants at Kamina.

31. In July, a MONUC disarmament, demobilization, repatriation, resettlement and reintegration team in Beni demobilized Rwandan combatants among a small group of 46 persons, which included dependants and Congolese citizens, who had already been disarmed by the local RCD-K/ML authorities. Although the combatants agreed to be demobilized, they were reluctant to be repatriated. Accordingly, at the invitation of MONUC, the Government of Rwanda sent a team to persuade the ex-combatants to return home. Only eight have returned, however, although other members of the group now appear willing to consider repatriation.

32. In July, MONUC held consultations with the Government of Uganda and the Ugandan Amnesty Commission, concerning a process of disarmament, demobilization, repatriation, resettlement and reintegration for 300 to 400 Allied Democratic Front (ADF) combatants present in the Democratic Republic of the Congo. Provided that the security situation around Bunia does not deteriorate, this operation is expected to commence soon. It is to be conducted under the overall supervision of the Ugandan Amnesty Commission and MONUC, in collaboration with the International Organization for Migration and a Ugandan non-governmental organization, with the support of UNICEF and WFP. The Donor Technical Group on Uganda, which consists of prominent international donors, has agreed to finance the operation, in which the role of MONUC will be limited to disarming and demobilizing the ADF combatants in the Democratic Republic of the Congo.

33. In the meantime, MONUC has undertaken efforts to further mainstream disarmament, demobilization, repatriation, resettlement and reintegration within the Mission by intensifying internal consultation in the planning of future such operations during phase III. Such planning takes into account the recent political developments, such as the Pretoria Agreement, lessons learned from previous exercises of this kind conducted by other peacekeeping operations, and the Mission's experience in Kamina and Beni. As indicated in my special report, MONUC has established a Joint Coordination Committee for disarmament, demobilization, repatriation, resettlement and reintegration and has continued its consultations with United Nations agencies, the World Bank and the diplomatic

community, in order to refine the division of labour in respect of these operations and to transform the disarmament, demobilization, repatriation, resettlement and reintegration concept into a joint operational plan.

34. In this context, the cooperation of MONUC with the World Bank is crucial. The World Bank has initiated activities under the Multi-Country Demobilization and Reintegration Programme for the Greater Great Lakes Region, which is designed to support the consolidation of peace in the region. The Programme was established to provide financial and technical assistance to national programmes, regional initiatives and special projects within the framework defined by the greater Great Lakes regional strategy for demobilization and reintegration endorsed by nine countries involved in, or affected by, conflicts in the region, as well as 30 partners from regional organizations, donor countries, international financial institutions and relevant United Nations agencies. Through the Multi-Country Programme, the World Bank and partners will be working closely with national Governments, as they are doing now with the Government of Rwanda, in preparation for reintegration programmes for returning ex-combatants from the Democratic Republic of the Congo. MONUC is collaborating closely with the World Bank to ensure that the process beginning with disarmament and demobilization of ex-combatants in the Democratic Republic of the Congo, for which MONUC will be responsible under the proposed assessed budget arrangements, continues seamlessly towards reintegration of the same groups in Rwanda, where the Rwanda Demobilization and Reintegration Programme, funded by the Multi-Country Programme, would assist former combatants in their transition to civilian life. Most recently, MONUC participated in a seminar conducted by the Bank in Nairobi from 17 to 21 September 2002 to facilitate dialogue between the Governments of the Democratic Republic of the Congo and Rwanda with regard to the technical aspects of the implementation of the Pretoria Agreement. The seminar identified in some detail the main activities to be performed during the disarmament, demobilization, repatriation, resettlement and reintegration operations, indicating where the responsibility for performing them lay.

35. MONUC is mandated only to disarm, demobilize and repatriate the foreign armed groups listed in the Lusaka Agreement. However, circumstances might arise when Congolese groups or individuals might present themselves at a MONUC reception centre, to surrender their weapons in the hope of becoming eligible for some sort of national Congolese demobilization and reinsertion programme. Bearing in mind the responsibility it might be considered to have incurred in agreeing to disarm men in such circumstances, MONUC has also been consulting with specialized agencies and donors about steps it could take, within its mandate and resources, to facilitate their subsequent demobilization and reinsertion. A working arrangement on the ground with the participation of the Government of the Democratic Republic of the Congo, MONUC and UNDP is being considered, for example, to assist with the disarmament, demobilization and reinsertion of Congolese armed groups into society.

**Reopening of the Congo River**

36. There were hopes that significant progress could be achieved towards the reopening of the Congo River after the signature in May of an agreement between the three main parties under the auspices of MONUC. On 20 July, 12 barges set off from Kinshasa to Lisala and Bumba (northern Equateur) in the first attempt to

resume commercial exchanges in nearly four years. A further commercial convoy of four barges left Kinshasa on 8 October. This will be joined en route by at least four additional barges.

37. In Kisangani, the RCD-Goma authorities continue to insist on convening a tripartite committee meeting to discuss "technical issues" with the Government and MLC before lifting all restrictions on river traffic. This demand reflects a disagreement between RCD-Goma and the business community in Kisangani over taxes. MONUC is actively trying to bring the concerned parties together to settle their differences. In the meantime, the slow progress towards an agreement between the three main parties continues to pose a serious threat to the restoration of the freedom of movement of people and goods on the river.

**Civilian police**

38. MONUC is preparing a detailed plan in regard to possible expansion of civilian police activities to meet the rapidly changing circumstances on the ground, especially in the light of the Pretoria and Luanda agreements. There are currently 52 United Nations civilian police officers deployed in Kinshasa, Kisangani and Goma. In accordance with Security Council resolution 1376 (2001), the civilian police component is in the process of implementing a pilot project for training the local police in Kisangani. The programme includes a refresher course for already existing police units, and specialized training for traffic and court police, as well as for criminal investigators. The latter comprises training for police cadets, and an advanced training course for police inspectors. As part of the programme, MONUC will proceed, as soon as possible, and in cooperation with bilateral donors, with the refurbishment of the police training centre in Kapalata, as well as the procurement of basic materials such as uniforms, vehicles and communication equipment, through the special trust fund established by the Mission for this purpose.

39. The first session of the short-term "train-the-trainers" course in Kisangani was concluded on 31 August and a second session was completed on 15 October. A refresher course for judicial police is to begin on 21 October.

**Public information**

40. Public information deployment and activities have reinforced the visibility of MONUC in all sectors of the Democratic Republic of the Congo. Radio Okani broadcasts news programmes in five languages from Kinshasa to eight locations: Kisangani, Goma, Kalemie, Kananga, Mbandaka, Gbadolite, Kindu and, as from 6 October, Bukavu. These eight regional FM stations have also commenced locally produced programming. Three short wave transmitters have been installed in Kinshasa and will be fully operational by the end of October, covering the entire country and the region. Radio Okapi has started an information campaign on disarmament, demobilization, repatriation, resettlement and reintegration with specific programmes in French, Swahili and Kinyarwanda targeting both the armed groups and the Congolese population. United Nations agencies have also increased their contributions to Radio Okapi programming.

41. During the reporting period the publication information component of MONUC has produced 60,000 posters and 50,000 bumper stickers in five languages; these are being disseminated throughout the sectors, by public information staff, military observers, non-governmental organizations and other cooperating partners.

In addition, it produces and widely disseminates 5,000 copies of a monthly magazine in French to increase the public's understanding of the Mission's mandate and of new developments in the peace process. This component also issues a daily press review, which covers international media and press clippings, a weekly newsletter and a bi-weekly bulletin.

42. At the same time the photography unit of the Mission has created an archiving system and makes regular contributions to MONUC publications, media requests, and the MONUC web site, www.monuc.org. The video unit has been reinforced and has produced an informational video on the Mission. It also produced a video on the disarmament, demobilization, repatriation, resettlement and reintegration operation in Beni and disseminated it to the sectors. Full video coverage of the disarmament, demobilization, repatriation, resettlement and reintegration operation in Kamina-Kigali was also produced and presented to the ex-combatants in the Kamina camp on 10 October before dissemination to all sectors, as part of the information campaign on that process.

43. MONUC is also disseminating information to areas where armed groups are located. Radio Okapi and MONUC publications are increasingly being used to encourage combatants to disarm and repatriate. Three portable mobile radio facilities with FM transmission, to be used for this purpose, were recently procured and should be installed soon.

44. There were several incidents in which local authorities harassed and intimidated Radio Okapi journalists. On 27 August, in Kindu, RCD-Goma military officers arrested and physically assaulted a Radio Okapi journalist. On 13 September, in Gbadolite, another Radio Okapi journalist was detained for eight days by MLC authorities for reporting on the condition of child combatants in the MLC forces.

**Human rights**

45. MONUC continues to receive regular information indicating that the human rights situation in the Democratic Republic of the Congo remains precarious. In recent months, in areas controlled by the Government, there have been several cases of prolonged detention of human rights defenders, a wave of arrests of journalists and the heavy sentencing of some for *imputations dommageables*, the arrest and detention of relatives and supporters of the leaders of an opposition political party, the Union pour la démocratie et le progrès social (UDPS), and cases of prolonged detention without trial on the order of the Military Prosecutor General.

46. Information received by MONUC includes allegations of arbitrary killings and rapes and excessive use of force by the security forces of all the parties. The situation is particularly worrying in the east. MONUC is especially concerned about consistent reports of violence against women by security and armed groups. On 20 June, the international non-governmental organization Human Rights Watch issued a report documenting the systematic use of rape and other forms of sexual violence against women and girls by armed groups operating in the east. The victims do not always report these incidents, primarily for fear of rejection by their communities and of reprisals. Consequently, there is no appropriate treatment immediately available to these women and girls. MONUC is following up on this report with a view to increasing the protection of women and girls against rape and other violations of human rights.

47. Widespread and grave violations of human rights and international humanitarian law continue to be perpetrated by the armed opposition following several armed conflicts between RCD-Goma/RPA on the one hand, and the Mayi-Mayi and uncontrolled, foreign armed groups on the other, especially in South Kivu and Maniema Provinces.

48. MONUC continues to gather information and report on the conditions of detainees in the Democratic Republic of the Congo, where another aspect of the human rights situation is the deplorable state of prisons and other detention centres. Throughout the country, people continue to be detained without due process. Detainees are treated in a degrading and inhumane manner. Detainees who are beneficiaries of presidential amnesties remain imprisoned.

49. The past three months in Kindu have been marked by human rights violations that have far surpassed the predicted worst-case scenarios. The crisis erupted in August, shortly after RCD reinforced its eighth Brigade with a new commander and chief of staff, both of whom were allegedly involved in the massacres of 14 May in Kisangani. In retaliation for a failed offensive against the Mayi-Mayi, the RCD-Goma soldiers summarily executed 46 civilians, including a 15-year-old boy, and seven members of the same family. In Kindu itself the President of RCD-Goma, in a radio broadcast, accused MONUC of complicity with the Mayi-Mayi. This speech was followed by an outbreak of violence against suspected Mayi-Mayi sympathizers, which reportedly resulted in the killing of 25 people. Most recent reports involve the public execution, on 22 September, of three RCD-Goma soldiers who robbed a trader and, on 6 October, the summary execution by RCD-Goma of six fishermen suspected of being Mayi-Mayi. The number and scale of gross human rights violations is growing rapidly and the situation demands greater protection of civilians under imminent threat of physical violence.

**Report of the Commission on Human Rights on Kisangani**

50. At the request of the Security Council, the Office of the United Nations High Commissioner for Human Rights in cooperation with MONUC undertook an investigation of the events of mid-May in Kisangani, covered in the eleventh report on MONUC (S/2002/621). From 16 to 22 June, the Special Rapporteur on extrajudicial, summary or arbitrary executions of the Commission on Human Rights, Asma Jahangir, conducted a fact-finding mission to Kinshasa, Goma and Kisangani. On 16 July, the then High Commissioner for Human Rights, Mary Robinson, submitted a report on the Special Rapporteur's findings and recommendations on the Kisangani situation to the Security Council. The Security Council condemned the actions of RCD-Goma in Kisangani and demanded that the rebel movement bring the perpetrators of the killings to justice.

**Child protection**

51. The reporting period was marked by a disturbing upsurge in the recruitment of child soldiers. MONUC verified the existence of a training camp run by RPA in the area of Luvungui north of Uvira. Of the estimated 500 Mayi-Mayi in training at that location, between 50 and 100 were children under the age of 18.

52. The majority of the victims in the ongoing Hema-Lendu conflict in the area of Bunia are women and children. Among the hundreds of injured women and children admitted to hospitals in Bunia, 80 per cent suffer from wounds to the head, hands

and extremities. The perpetrators used knives, cudgels, machetes and other sharp implements as their weapons.

53. The fighting between UPC and RCD-K/ML forces in the north-east has led to a significant rise in the number of child soldiers being recruited by the forces in that area. In Bunia, the forces of Commander Thomas Lubanga have recruited large numbers of child soldiers.

54. Although UNICEF, MONUC and non-governmental organizations continue to plan for and advocate child demobilization in rebel-held areas, rebel parties have not yet agreed to give the international community access to military sites. Discussions on the establishment of child demobilization subcommissions have not yet borne fruit. It is hoped that the latest UNICEF/RCD-Goma efforts will result in the establishment of a subcommission in Kisangani in the near future.

55. Plans for the demobilization of child soldiers in the context of overall disarmament, demobilization, repatriation, resettlement and reintegration are well under way. This is being done in conjunction with other relevant partners, most notably UNICEF. With the Government of Norway's financial contribution to support the peace process, the Child Protection Section has finalized a plan to augment the capacity of local non-governmental organizations to receive and aid possible child ex-combatants completing the disarmament, demobilization, repatriation, resettlement and reintegration exercise in the Beni-Butembo area. Child protection advisers work together with UNICEF, which is providing similar emergency expansion capacity to local child protection non-governmental organizations in Bukavu in anticipation of needs related to disarmament, demobilization, repatriation, resettlement and reintegration in the area.

**Gender issues**

56. Raising the gender awareness of MONUC personnel, agency partners and the population has been the focus of the work of the gender section. The medium- to long-term objective is to ensure the integration of a gender perspective into all aspects of the Mission's work.

57. On 23 July, the gender section convened a strategic planning meeting with the Mission's military and civilian staff to create an action plan for integrating the concept of gender into all MONUC activities. The next step will be to form Mission-wide gender working groups to assess the gender dimensions of the Mission's work and ensure that gender concerns are accounted for in all of its activities. Sessions on gender sensitivity also continue to be a regular part of the induction programmes offered to all incoming military, civilian and civilian police staff. This is in addition to the gender awareness training of trainers for the local police in Kisangani.

58. Meetings with Congolese civil society organizations, media, and church organizations across the country to discuss their views on the peace process are still being held. The major outcome of such work is to harmonize the vision of women's groups from the east and the west so that they can work out strategies to ensure their full participation in the implementation of the Nairobi Declaration adopted prior to the inter-Congolese dialogue. A plan of action to address the reports of violence against women in the east was also discussed by various stakeholders.

**Humanitarian activities**

59. Humanitarian conditions in the Democratic Republic of the Congo remain deeply disturbing. Civilians continue to bear the brunt of the crisis. Approximately 17 million people — almost a third of the country's population of approximately 53 million — are in need of urgent food aid, while approximately 2.2 million people are displaced within the country. During the reporting period, significant new displacement was reported in Ituri and Maniema Provinces. Women, children and the elderly are the most affected by the conflict.

60. A humanitarian assessment team comprising the United Nations Humanitarian Coordinator and representatives of MONUC travelled to Minembwe-Itombwe on 2 August, under the protection of RPA. The team was, however, denied access to other areas further west in the Hauts Plateaux, where there had been fighting between RCD-Goma/RPA and Commander Masunzu's forces 48 hours before the mission. On 3 August, the team travelled to Fizi-Baraka, but a hostile crowd of civilians and soldiers prevented them from leaving the airport. The mission was successfully completed on 8 August, however. The Humanitarian Coordinator described the situation in the border region of Uvira, the Hauts Plateaux and Fizi-Baraka as a "creeping disaster", with over 100 villages deserted and 20,000 newly displaced families, bringing the total number of internally displaced people in South Kivu to an estimated 400,000. In the context of continuous military offensives against Masunzu's stronghold, humanitarian assistance in the area remains limited to ad hoc interventions conducted by the International Committee of the Red Cross.

61. Humanitarian affairs officers have witnessed an increase in recent months in the harassment of relief workers and the looting of their assets. Humanitarian staff in Bunia and Dungu experienced threats of physical violence and looting, which in Bunia resulted in the loss of nearly 14 tons of food destined for vulnerable populations. Several humanitarian teams were evacuated, most notably from Shabunda and Nyankunde. In many areas where there is widespread insecurity, health conditions are reported to have deteriorated alarmingly, and there is evidence of very high malnutrition rates among the populations. Access to war-affected areas remains critical for humanitarian partners.

62. The deteriorating humanitarian situation against the backdrop of planned disarmament, demobilization, repatriation, resettlement and reintegration activities requires a reinvigorated humanitarian effort that expands coverage to more locations. Following consultations with the Office for the Coordination of Humanitarian Affairs and other United Nations and non-governmental partners, MONUC will shortly extend its humanitarian presence beyond its current locations in Kinshasa, Mbandaka, Bukavu, Kisangani, Gbadolite, Kalemie and Goma to under-served locations with significant humanitarian needs.

63. MONUC logistical capabilities have been a great asset to the humanitarian community's relief efforts in the country. From June to September, MONUC transported more than 95 tons of humanitarian cargo. MONUC also supported the 2002 National Polio Vaccination Campaign during those months; the campaign achieved 85 to 90 per cent coverage.

**Mine action**

64. While less of a hazard than in other mission areas, mines and unexploded ordnance are still present in the Democratic Republic of the Congo. Most mines were planted in 1999 and 2000. In particular, the areas of Kisangani and Ikela are heavily mined. Reportedly, FAC, RCD, UPDF and RPA frequently used mines in the Mbuji-Mayi, Kabinda, Kabalo, Pweto, Beni, Buta and Tshopo areas. As a consequence of the conflict in Burundi, landmines were planted in Kivu in the Uvira region, close to the Burundi border. It is believed that Uvira, Baraka, Makobolo and the Ruzizi Valley are mined. Reportedly, UPC has also used mines in the recent fighting around Bunia.

65. MONUC works in close collaboration with the Mine Action Coordination Centre, with offices in Kinshasa and Kisangani. MONUC and the Centre share a database on mines and unexploded ordnance and have well-defined standard operational procedures. Mine-clearing activities conducted in the Democratic Republic of the Congo are limited to the work of a Belgian non-governmental organization which works closely with the Mine Action Coordination Centre, local partners and MONUC military engineers. Demining activities in support of MONUC operations in Kindu are currently under contract negotiation, while the contract in Kisangani has been finalized.

**Quick-impact projects**

66. In enhancing its effectiveness, MONUC is endeavouring to engage actively with the local population as a means of winning the support necessary to carry out its mandate. The Mission has made extensive use of quick-impact projects, with a view to making a demonstrable, positive difference in the lives of the people where MONUC is deployed and to enhance its credibility with the local population. MONUC has focused on high visibility projects in the areas of restoration or enhancement of water services and water purification; provision of public sanitation; provision of basic medical equipment and medical supplies; repairs to school buildings and provision of basic school furniture/materiel; repairs to hospitals/medical facilities; and repairs to basic community infrastructure.

67. The Mission's phase III activities, outlined in the special report, will imply deployment into new areas in the east, most of which have suffered from years of conflict. It will be essential for the success of the phase III activities to continue reaching out to the local population to ensure their acceptance of the Mission, and therefore to extend funding for quick-impact projects during phase III.

**Review and assessment mission**

68. The Department of Peacekeeping Operations sent a review and assessment mission to MONUC from 28 July to 8 August, led by former Assistant Secretary-General Manfred Eisele. The aim of the mission was to review the present capability of MONUC to implement its mandate and to meet future challenges, especially in the face of major changes in the peace process in the Democratic Republic of the Congo. The review team, which travelled all over the Mission area, examined various aspects of the MONUC operations and also met with members of the Governments of the Democratic Republic of the Congo and Rwanda as well as the diplomatic community in Kinshasa and Kigali.

69. The review mission found MONUC staff members to be active and committed to fulfilling the Mission's mandate. They were extremely frank with the review mission in expressing their views on how MONUC could improve its activities as it geared up for phase III activities. The mission found that the main areas in need of enhancement include the setting of overall strategic direction and communication of such direction throughout the Mission and beyond; strengthening management of the Mission through the appointment of a second deputy Special Representative of the Secretary-General for operations and management, strengthening a number of key posts and ensuring that the Mission is properly staffed; reviewing the delegation of authority and ensuring appropriate command and control arrangements throughout the Mission; enhancing information flows and policy and analysis functions, as well as coordination of activities throughout all components of the Mission; and ensuring that the disarmament, demobilization, repatriation, resettlement and reintegration programme is "mainstreamed" through the Mission and is provided with the full support of all components.

70. The report of the assessment mission was presented to me on 1 October, and the members of the Security Council and troop-contributing countries were briefed on the main elements. Subsequent to my approval of the review mission's wide-ranging recommendations, the Department of Peacekeeping Operations has initiated an action plan so that MONUC can more effectively implement its mandate. In due course, the Department will conduct a review of the implementation of these important recommendations.

## IV. Logistical activities

71. As MONUC continues its eastward deployment and intensifies the preparations for the launching of a full-scale disarmament, demobilization, repatriation, resettlement and reintegration operation, the daunting logistical support tasks that lie ahead become ever more apparent. Arrangements for the deployment of the two task forces and setting up of temporary reception centres would involve a carefully planned and coordinated engineering effort, requiring an integrated civilian and military approach to optimize the use of the limited engineering resources available in MONUC.

72. Since many of the reception centres may be located in remote and scattered locations with poor or no road access, additional air assets will be required to deploy personnel and equipment to establish, operate and dismantle the centres and associated accommodation camps for ex-combatants and possibly their dependants. Consideration will also have to be given to modalities and funding arrangements for the transportation of the combatants and their families (estimated at around 90,000 persons) from the reception centres to their final destinations. Additional technical expertise for the upkeep of airfields associated with centres and camps and to support air operations in general will also need to be considered. The capacities of the logistic bases in Kinshasa and Kisangani will be increased and a new logistic base at Kigoma, United Republic of Tanzania, is being considered to optimize the delivery of equipment and stores.

73. Since logistics operations involving the mobile disarmament and demobilization sites will be complex, the two task forces will have to be self-sustained, and it is expected that all major contingent-owned equipment will be

provided under "wet lease" arrangements. The task forces will also need to have sufficient integral engineering and aviation assets to support MONUC operations in the specific areas of the establishment of disarmament, demobilization and reintegration reception centres and associated camps, water purification, maintenance of runways/landing grounds and local access road networks, airfield support services and operational demining tasks.

## V. Financial aspects

74. The General Assembly, by its resolution 56/252 C of 27 June 2002, appropriated an amount of $581.9 million for MONUC for the period from 1 July 2002 to 30 June 2003.

75. Since its establishment in October 1999, the Trust Fund to support the peace process in the Democratic Republic of the Congo has received voluntary contributions amounting to $1.1 million, with expenditures authorized to date in the full amount.

76. As at 31 August 2002, unpaid assessed contributions to the MONUC special account amounted to $322.9 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $1,781.1 million.

## VI. Observations

77. Since my last progress report to the Security Council, there have been significant developments in the peace process in the Democratic Republic of the Congo. The signing of the Pretoria and Luanda agreements, the consequent withdrawals of foreign forces from the country, the arrest of three persons indicted by the International Criminal Tribunal for Rwanda in Luanda, Brazzaville and Kinshasa, the banning of the FDLR leadership based in Kinshasa, the successful exploratory visit to Rwanda of a group of ex-combatants and their dependants from Kamina, and the increased contacts between the Governments of the Democratic Republic of the Congo and Rwanda and Uganda are all major steps which can have lasting, positive implications for the political and military situation in the Democratic Republic of the Congo. The parties should be congratulated for the political will they have demonstrated in moving the peace process forward.

78. Nevertheless, there continue to be serious challenges. Heavy fighting continues in the north-eastern and eastern parts of the country. The fragile peace process in the Democratic Republic of the Congo and recent gains made in the implementation of the Pretoria Agreement are in serious danger of being reversed because of the most recent military offensive undertaken against Uvira and other key locations in the east. I urge all parties to put an end to all hostilities and take advantage of the positive atmosphere and opportunities created by recent developments in the country, and especially welcome the role of the Government of South Africa in its persistent effort to keep the peace process on track.

79. The situation in the Ituri region remains worrying. My previous progress reports described the continuing violence and abuses in that area, which have worsened recently. All parties concerned should now work together to promote confidence. I commend the establishment in the Ituri region of the Joint Pacification

Commission, under the terms of the Luanda Agreement, and hope that it will serve to restore peace and stability in this troubled region of the country.

80. Equally, the human rights situation in the Democratic Republic of the Congo is a source of grave concern. The current culture of impunity that exists in many parts of the country must end, and those responsible for serious violations of human rights and international humanitarian law must be held accountable. The recent arrests of individuals indicted by the Tribunal and their transfer to Arusha is encouraging in this regard.

81. I strongly condemn the threats and harassment against MONUC staff, including those working for Radio Okapi. The instigators of the latest incidents in Kisangani and elsewhere in the Democratic Republic of the Congo bear responsibility for such acts and must understand that, in order for peace and normalcy to return to the country, the safety and security of United Nations personnel must be guaranteed. There must also be a free flow of information; the role of Radio Okapi is fundamental in this process.

82. As the peace process in the Democratic Republic of the Congo moves forward, the disarmament, demobilization, repatriation, resettlement and reintegration of foreign armed groups will become a central part of MONUC operations. The Mission has been active in promoting the early implementation of this crucial programme. I am gratified by the close collaboration between MONUC and the different international partners, including the United Nations agencies and programmes, the World Bank, and other members of the donor community; the United Nations is determined to strengthen this vital coordination.

83. The progress achieved so far in the inter-Congolese dialogue is encouraging. The increasing willingness of the various political actors to engage and address their counterparts is a welcome sign. In this regard, I urge all parties to be guided by the interests of the Congolese people. I believe it is essential to look beyond the distribution of posts in the transitional administration leading towards a new political dispensation, and to begin addressing issues such as security sector reform and the extension of State authority throughout the country. Above all, the Congolese leadership must focus on the creation of a reformed and revitalized State that can meet the aspirations of its people. We must not allow the present opportunity to be lost.

84. I also call on all parties to cooperate in the mediation efforts of my Special Envoy, Moustapha Niasse, and the Government of South Africa, with a view to reaching an early understanding on the transitional arrangements foreseen under the Lusaka Agreement.

85. The United Nations will continue to do its utmost and work with the Congolese parties and people to achieve these aims. To do so, the full support of the international community is needed. In my special report, I have already referred to the need to give strong impetus to the peace process. I once again encourage the Security Council to take the necessary decisions in this regard.

86. Finally, I wish to express my appreciation to my Special Representative, Amos Namanga Ngongi, to the Force Commander, Major General Mountaga Diallo, and to all the men and women of MONUC, military and civilian, for their untiring efforts under the very challenging circumstances still prevailing in the Democratic Republic of the Congo.

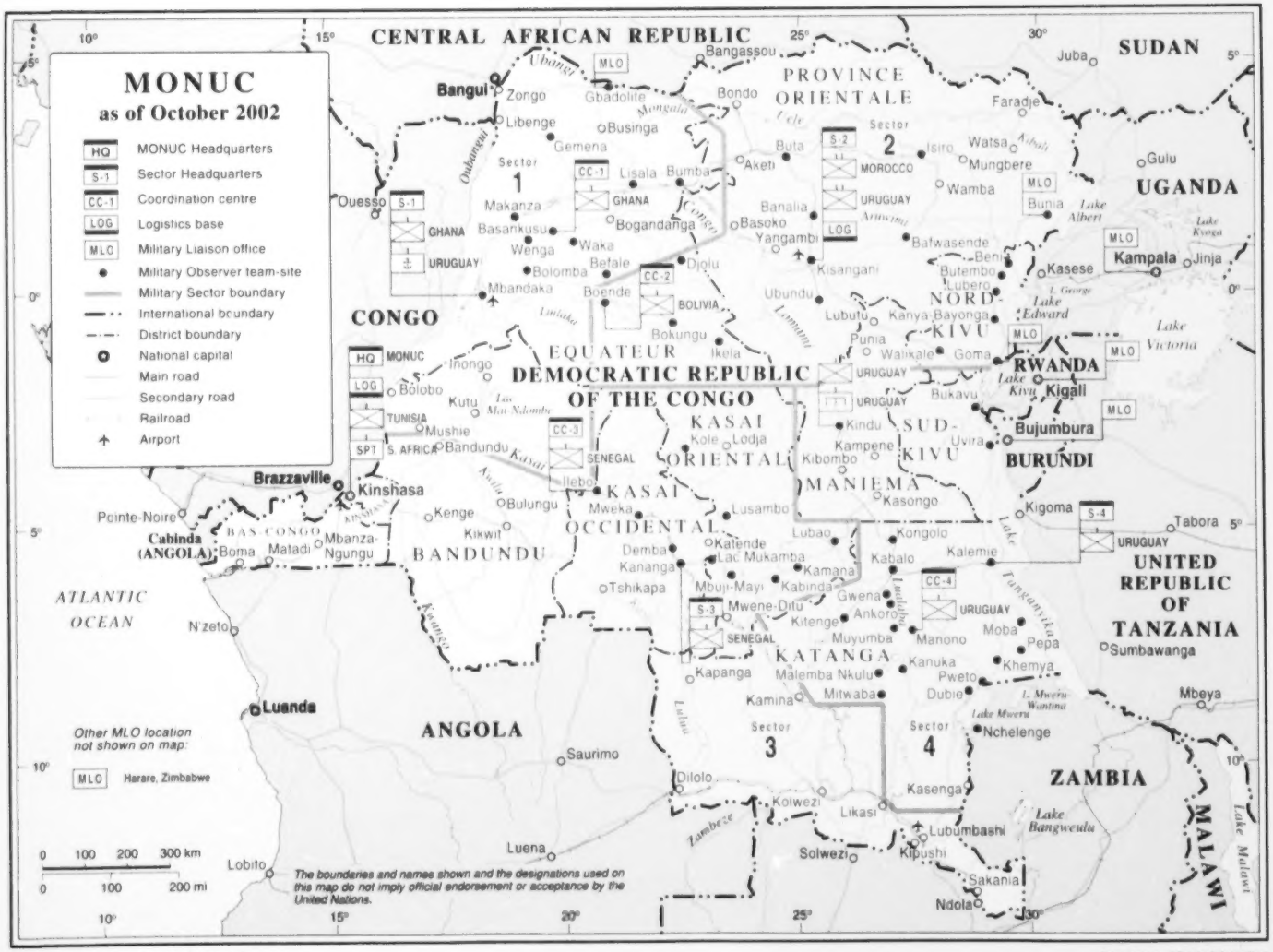
# Annex

## United Nations Organization Mission in the Democratic Republic of the Congo: military and civilian police strength

**(as at 10 October 2002)**

| | *Military observers* | *Staff officers* | *Military troops* | *Total military component* | *Civilian police officers* |
|---|---|---|---|---|---|
| Algeria | 11 | 1 | | 12 | |
| Argentina | | | | | 6 |
| Bangladesh | 12 | 10 | | 22 | |
| Benin | 19 | 3 | | 22 | 6 |
| Belgium | | 5 | | 5 | |
| Bolivia | 3 | 2 | 202 | 207 | |
| Burkina Faso | 12 | | | 12 | 2 |
| Cameroon | | 1 | | 1 | |
| Canada | | 8 | | 86 | |
| China | 9 | 1 | | 10 | |
| Côte d'Ivoire | | | | | 4 |
| Czech Republic | 4 | 1 | | 5 | |
| Denmark | | 2 | | 2 | |
| Egypt | 22 | 4 | | 26 | 1 |
| France | 1 | 2 | 3 | 6 | |
| Ghana | 18 | 2 | 403 | 423 | |
| Guinea | | | | | 1 |
| India | 20 | 11 | | 31 | |
| Indonesia | 7 | 4 | | 11 | |
| Ireland | 2 | | | 2 | |
| Italy | | 3 | | 3 | |
| Jordan | 17 | 7 | | 24 | |
| Kenya | 15 | 12 | | 27 | |
| Malawi | 17 | | | 17 | |
| Malaysia | 7 | 18 | | 25 | |
| Mali | 21 | 3 | | 24 | 2 |
| Mongolia | 2 | | | 2 | |
| Morocco | | 5 | 653 | 658 | |
| Mozambique | 2 | | | 2 | |
| Nepal | 16 | 2 | | 18 | 2 |
| Niger | 15 | 2 | | 17 | 5 |
| Nigeria | 24 | 2 | | 26 | |
| Norway | 3 | 2 | | 5 | |

| | *Military observers* | *Staff officers* | *Military troops* | *Total military component* | *Civilian police officers* |
|---|---|---|---|---|---|
| Pakistan | 22 | 18 | | 40 | |
| Paraguay | 19 | 2 | | 21 | |
| Peru | 3 | | | 3 | |
| Poland | 3 | | | 3 | |
| Portugal | | | | | 4 |
| Romania | 25 | 1 | | 26 | 1 |
| Russian Federation | 28 | 2 | | 30 | |
| Senegal | 8 | 18 | 459 | 485 | 9 |
| South Africa | 1 | 10 | 140 | 151 | |
| Spain | | 1 | | 1 | |
| Sri Lanka | 2 | | | 2 | |
| Sweden | 2 | | | 2 | 3 |
| Switzerland | | 2 | | 2 | |
| Turkey | | | | | 3 |
| Tunisia | 19 | 6 | 255 | 280 | |
| Ukraine | 9 | 2 | | 11 | 3 |
| United Kingdom | | 6 | | 6 | |
| Uruguay | 25 | 24 | 1 479 | 1 528 | |
| Zambia | 10 | 4 | | 14 | |
| **Total** | **455** | **209** | **3 594** | **4 258** | **52** |

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